

Cruisers' cars may be seized

City also will consider ban on 'unlawful' vehicle gatherings

By JOHN DIEDRICH

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Frustrated by a weekend cruising ritual that gridlocks intersections and gobbles up officers' time, some Milwaukee leaders are pushing for new tools to fight the problem, boosting fines and letting police seize cars by declaring them a "nuisance."

Police Chief Nannette Hegerty and others said the city also needs help from the state Legislature. The state does not allow cities to pass traffic laws that are tougher than Wisconsin statutes. The city wants the authority to take cars and keep them while trying to have them seized in court, as other cities have done.

Ald. Bob Donovan said the Police Department, already stretched thin, can't afford to scramble officers to break up the chronic jams.

"This whole damn thing is making fools of the city. It is unfortunate that state law limits so much of what the city can do," Donovan said. "We are spending an inordinate amount of resources on this."

It is called cruising, but police say it is really anything but that.

Those who do it call it "being in traffic," police say.

At bar time on weekend nights, hundreds of people communicating by cell phones agree on a destination and head out. The traffic quickly jams, drivers put their cars in park, and a makeshift street party starts. Booze-fueled fights often break out. Guns sometimes are fired. Cars cut over lawns.

Authorities cringe to think what would happen if an emergency vehicle had to get through.

"Chaos is really what it is," said Donovan, who saw the issue firsthand after he learned that officers from across the city, including from his south side district, are pulled in for crackdowns.

Last weekend, the department used "saturation patrols" to tackle the issue, Hegerty said. The results: 17 cars towed, 33 people arrested and 124 citations issued. Police were able to tow cars because of traffic violations or because no one was legal to drive them, not because they were part of an effort to jam up traffic.

Hegerty said police, who are now getting calls from resident "spotters" alerting them when trouble starts brewing, will keep up the heat.

"We will arrest people, we will tow cars, we will do whatever is necessary," Hegerty said Wednesday at a news conference at N. 27th St. and W. Capitol Drive, an intersection where traffic is frequently blocked.

Sitting, not cruising

Last year, police handed out only 24 cruising tickets, according to the Legislative Reference Bureau. A cruising ticket is given when a driver passes a location several times. What is happening here is driving and then stopping, officials said.

Two proposals to be debated next week are intended to tackle the issue.

Ald. Joe Davis wants to increase traffic fines in the areas where the problems occur.

A proposal by Donovan and Ald. Tony Zielinski goes further.

They want to beef up the city's riot and illegal assembly ordinance. The proposal, which will be debated next week in committee, defines "unlawful assembly of motor vehicles" as three or more cars gathered in a manner that could injure someone or damage property. The proposal also would ticket people on foot who contribute to such a disorderly scene.

The existing ordinance can bring a \$50 fine. The proposal would increase it to between \$250 and \$1,000.

Locking up the cars

If a car is ticketed two or more times, the city could move to seize it in court. But the city can't keep the car while the seizure proceeding advances. A change in state law would be needed to allow that, said Richard Withers, research analyst for the city, who has studied the issue for months.

Other cities have been able to do that because their states' laws allow it, Withers said.

To fight the problem, other cities have tried to provide legal places for people to show off cars, but it didn't work, Withers said. They found "part of the attraction is the fact it is lawless that apparently makes it exciting," he said. The best antidote in other places was "strict enforcement," he said.

Authorities can seize cars and other property as part of drug operations. In Milwaukee, the city can take cars involved in soliciting a prostitute, Withers said. But taking cars causing havoc on the roads would be new.

Donovan said it is about time.

"I think the message would be loud and clear: You aren't going to just pay 100 bucks and get your car back," he said. "Wheels are important to these folks, as they are to everyone."

Taking cars would raise civil rights concerns, said Stan Stojkovic, dean of the University of Wisconsin-Milwaukee's Helen Bader School of Social Welfare.

"There could be abuse. If you do something like that, you better think it through," he said. "There is no easy answer to this problem. You have to be vigilant. But you have to make sure vigilance isn't excessive."



January 15, 2008

Post-it* Fax Note 7671		Date	# of pages 1
To John	From Paul Vornholt		
Co. Dept. 410 Sen Darling	Co. C. of Milwaukee		
Phone #	Phone #		
Fax #	Fax #		

Senator Fred Risser, Chairman
Committee on Ethics Reform & Operations
State Capitol - 220 South
Madison, WI 53701

Dear Senator Risser:

We write to request a hearing on Senate Bill 296 as soon as can be convened so it can be considered in the final months of the legislative session.

Senate Bill 296 allows a city to give itself authority to tow and impound vehicles for certain traffic violations. We have worked closely with the City Attorney and Milwaukee Police Department in developing this proposal.

As you may know, Milwaukee has been dealing with the issues of "cruising." While our crackdowns under current law have helped, we seek this additional authority to be even more effective.

Law enforcement has said they need the ability to tow for other violations that occur during cruising. These violations and lawless acts can be riding on cars, obstructing traffic, and disorderly conduct. State law currently does not allow towing or impounding in such instances. Senate Bill 296 would allow municipalities to determine and enforce such offenses.

We hope you will consider scheduling a hearing on Senate Bill 296 to allow further input from interested parties who believe this could be a very effective law enforcement tool.

Thank you for your time and consideration.

Sincerely,

Robert L. Donovan *Jim Bohl* *Willie Wade*

Alderman Robert Donovan

Alderman James Bohl

Alderman Willie Wade

